

Part 10 CAMPAIGN COMMUNICATIONS

12.06.1000 Disclosure Requirements for Candidate Mass Mailings

- A. In addition to the requirements set forth in California Government Code Section 84305, any candidate or committee for City elective office that pays for a mass mailing with funds raised for the candidate's campaign must print, display or incorporate the following words in not less than 12 point type and in a color or print which contrasts with the background so as to be easily legible anywhere within the communication or mailing: "Paid for by" immediately followed by the name, address and city of that candidate or committee. A post office box may be stated in lieu of a street address if the candidate's address is a matter of public record with the City Clerk. If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall also be included. If an acronym is used to specify a committee name, the full name of any sponsoring organization of the committee must be included in the campaign communication disclosure required by this Section.
- B. For the purposes of this Part 10, "mass mailing" will be defined as set forth in the California Political Reform Act (Gov. Code Sections 81000 *et seq.*), provided that the mass mailing advocates for or against one or more candidates for City elective office.
- C. The requirements set forth in this Part 10 do not apply to member communications distributed by an organization that is not a political party provided that such communications do not constitute general public advertising such as, but not limited to, broadcasting, billboards, and newspaper advertisements.

(Ord. 28213.)

12.06.1010 Disclosure Requirements - Independent Expenditures for Mass Mailings

Any person who makes independent expenditures for a mass mailing which support or oppose any candidate for City elective office must place the following statement on the mailing in typeface no smaller than 12 points:

Notice to Voters
(Required by the City of San Jose)

This mailing is not authorized or approved by
any candidate for City office
or by any election official. It is paid for by
(name and committee identification number).
(address, city, state).
Total cost of this mailing is (amount).

(Ord. 28213.)

12.06.1020 Disclosure Requirements – Campaign Advertisements

A. Any campaign advertisement that urges support for or opposition to one or more candidates for City elective office must include a disclosure statement identifying the person who paid for the advertisement. Such disclosure statement must, at a minimum, contain the following words, “paid for by _____ (insert the name of the person who paid for the communication)” and appear at least once on the advertisement.

1. Any disclosure statement required by this Section to be in printed form must be printed in a type and color so as to be easily legible to the intended public. Such disclosure statement must be printed in at least 12-point type and in a color or print that contrasts with the background so as to be easily legible to the intended public.
2. Any disclosure statement required by this Section to be in spoken form must be spoken at the same volume and speed as the rest of the communication so as to be clearly audible and understood by the intended public and otherwise appropriately conveyed for the hearing impaired.

B. For purposes of this Section, the term “campaign advertisement” means:

1. More than two hundred (200) substantially similar pieces of campaign literature distributed within a calendar month, including but not limited to mailers, flyers, facsimiles, pamphlets, and door hangers;
2. Posters, yard or street signs, billboards, and similar items;
3. Television, cable, satellite and radio broadcasts; and
4. Newspaper, magazine, and similar advertisements.

(Ord. 28213.)

12.06.1030 Disclosure Requirements – Recorded Telephone Messages

A. Any recorded telephone message distributed to five hundred (500) or more individuals or households must include the following statement: “paid for by _____ (insert name of person who paid for the recorded telephone message).” Statements required pursuant to this Section must be audible and played at the same volume and speed as the rest of the recorded telephone message.

B. Any person paying for a recorded telephone message must maintain a transcript of the message and a record of the distributed calls for each message.

(Ord. 28213.)